

## **Hawthorne Planning Board Minutes of September, 2013 Regular Meeting**

The September, 2013 regular meeting of the Hawthorne Planning Board was called to order on September 17, 2013 at 7:30 P.M. by Chairman Garner. After recital of the Pledge of Allegiance, Board Secretary William A. Monaghan, III called the roll. All members and alternates were present as well as Board engineer Michael J. Kelly, P.E. and Board attorney/secretary William A. Monaghan, III, Esq. Chairman Garner announced that notice of the meeting had been published and posted in accordance with the Open Public Meetings Act.

### **MINUTES**

1. On a motion made by Ms. DiMattia and seconded by Mr. Ruta, the Board approved the minutes of the August work session.
2. On a motion made by Vice Chairman Lucibello and seconded by Ms. DiMattia, the Board approved the minutes of the August regular meeting.
3. On a motion made by Mr. Kowalski and seconded by Vice Chairman Lucibello, the Board approved the minutes of the September work session.

**CORRESPONDENCE** – None

### **BILLS**

1. A motion was made by Mr. Matthews, seconded by Mr. DeAugustines, and approved by a vote of 7-0 to approve payment of a bill of the Hawthorne Press for Invoice No. 988743 in the amount of \$18.72.

### **RESOLUTIONS**

1. With regard to the application of **The Moped Warehouse**, a motion was made by Mr. Matthews, seconded by Vice Chairman Lucibello and approved by a vote of 7-0 to approve a resolution memorializing the action taken by the Board at its August 20, 2013 meeting.
2. With regard to the application of **Pro Tech Roofing and Chimney LLC**, a motion was made by Mayor Goldberg, seconded by Mr. DeAugustines and approved by a vote of 7-0 to approve a resolution memorializing the action taken by the Board at its August 20, 2013 meeting.
3. With regard to the application of **Chimney Design Solutions, Inc.**, a motion was made by Mayor Goldberg, seconded by Mr. Kowalski and approved by a vote of 7-0

to approve a resolution memorializing the action taken by the Board at its September 3, 2013 meeting.

**CERTIFICATE OF COMPLIANCE PLAN REVIEW** – None

**OLD BUSINESS**

1. With regard to the application of **Ulma Form Works, Inc.**, Aitor Fabian, president and CEO, appeared together with Bruce D. Rigg, P.E., the applicant's engineer. After being sworn, they indicated that a revised plan prepared by Mr. Rigg, dated September 6, 2013 had been submitted in support of the application. Mr. Rigg indicated that the plan is basically the same plan which was previously approved by the Board at the time of prior site plan approval, however, the interior and exterior building changes had been eliminated. The modifications requested by the Board, including relocation of the driveway to provide for improved truck movement in conjunction with the applicant's use of the adjacent premises, are shown on the revised plan. The plan also includes 23 striped parking spaces in the front of the building, re-stripping of the driveway and "No Idling" signs at the driveway entrance. A motion was then made by Mr. DeAugustines, seconded by Ms. DiMattia and approved by a vote of 7-0 to grant the application for certificate of compliance plan review subject to preparation of a memorializing resolution by the Board attorney.
2. With regard to the application of **TJM Properties II LLC**, Mr. Monaghan reported the receipt of a letter dated August 30, 2013 from the property owner requesting additional time for the submission of an engineering report as requested by the Board. Mayor Goldberg reported that the applicant had submitted one copy of a report within the past few days and would provide copies for review by Board members. A motion was then made, seconded and unanimously approved to carry this matter to the October 15, 2013 Board meeting.
3. With regard to the application of **Quick Stop Ready Mix Concrete**, no one appeared on behalf of the applicant. Mr. Monaghan reported that no communication had been received from the applicant. A motion was made, seconded and unanimously approved to carry this matter to the October 15, 2013 Board meeting and to direct the Board attorney to forward a letter to the applicant requesting information regarding the status of the applicant's request for information from NJDEP.
4. With regard to the application of **John Hryncewich**, Darryl Siss, Esq. appeared as attorney for the applicant together with Bruce D. Rigg, P.E., the applicant's engineer. Mr. Monaghan noted the receipt of a certification from the Borough tax collector of the payment of taxes due on the subject property and confirmed that the required escrow payment had been made. Mr. Siss then reviewed the four waivers requested by the applicant from the checklist requirements set forth in the ordinance and listed in Board engineer Michael Kelly's report. Mr. Rigg offered the

applicant's arguments for granting the waiver requests. Mr. Kelly then gave his recommendations to the Board as to each waiver request. After discussion, a motion was made, seconded and unanimously approved to grant the request to provide two foot rather than one foot contour lines (paragraph 14a in Mr. Kelly's report), and to deny the remaining waiver requests regarding plan grades, soil cross-sections and site slopes (paragraphs 14b, 14c and 14d in Mr. Kelly's report).

The Board then heard comments from Paul Giardino, Chairman of the Shade Tree Commission, who expressed opposition to the granting of any variances or waivers from requirements that the applicant provide the location of all trees on the site.

Since the applicant will be required to amend the plans based on the denial of the waiver requests, and since the Board is awaiting reports from the Environmental Commission and Shade Tree Commission, Mr. Siss requested that the application be carried to the November 26, 2013 Board meeting. A motion was then made, seconded and unanimously approved to grant the applicant's request with no further requirement for notice or publication. Mr. Siss agreed on behalf of his client to extend the statutory time for Board action on the application.

### **NEW BUSINESS**

1. With regard to **Graham Partnership/Kohler Distributing Company**, Mr. Monaghan reported the receipt of an inquiry from the property owner's attorney regarding the procedure required for construction of an addition to the existing facility which previously received site plan approval from the Board. Mr. Monaghan advised the Board that the proposed addition was depicted on the plans approved previously by the Board and the square footage of the "future expansion" shown on the plans was included in the parking calculations. After brief discussion, the Board authorized Mr. Monaghan to advise the owner's attorney that no formal action would be required by the Board and that application could be made to the Building Department for the necessary permits.

### **PUBLIC**

The meeting was then opened for public comment without response.

The meeting was then adjourned at 8:55 P.M.

Respectfully submitted,

William A. Monaghan, III, Esq.  
Board Attorney/Secretary